

Page Denied

2 JUN 1982

MEMORANDUM FOR: See Distribution

FROM:

[Redacted]

Deputy Director of Security
Policy and Management

STAT

SUBJECT: Implementing Directive for E.O. 12356

1. A copy of the latest version of Subject is attached for your information. Because of an extremely short deadline which precluded distribution for comment, review of the attached was limited to the Policy and Plans Group (PPG). It was examined in terms of concerns identified after staffing of the original draft, records management, and unacceptable administrative burdens.

2. Concerns previously identified and treatment of them in the attached draft are presented below:

a. Failure to provide for control of documents generated as computer output. The new version addresses this satisfactorily on page 16, paragraph (6).

b. Assignment to the Secretary of State, without qualification, a solitary support role in coordinating systematic review guidelines with foreign government. This has been corrected in the revision, page 25, paragraph (3).

c. Addition of a definition for cryptologic material to limit interpretation to cryptographic material. This was not done, however, the draft does divorce cryptological records, documents and information from "intelligence activities (including special activities), sources or methods." (See page 25, paragraph (d) and page 28, paragraph (c).) In the context of these cited provisions, it would be difficult to support a case that cryptologic material can be regarded as an element of SCI not covered by the DCI's statutory responsibility to protect intelligence sources and methods.

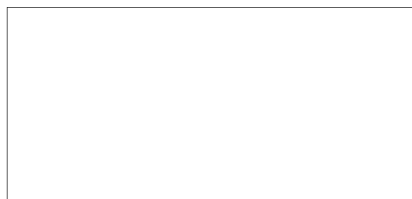
d. Failure to provide guidance on when and what unauthorized disclosures must be reported to the D/ISOO under provisions of Section 5.4(b)(1) of E.O. 12356. The revision does not address this matter directly. However, on page 40, paragraph 2001.62 is added and it could be an indirect response to our concern. By stating "Agency heads shall require that periodic formal reviews be made to ensure compliance with the provision of the Order and ISOO directives," the D/ISOO may be leaving it up to us to determine which unauthorized disclosures must be reported immediately. If this is the case, we can live with the obligation to report truly serious security breaches as they occur, deferring reporting of lesser matters for the once a year reporting exercise currently in existence. This concern should be revisited after publication of the implementing directive.

e. A notification requirement in the earlier version that would have required application of Top Secret control criteria for Secret and Confidential material. ISOO accepted our corrective suggestion. (See page 16, paragraph f).

3. The review included close attention to the "safeguarding" subpart of the draft. Changes have been made in safeguarding some of which we knew about and did not find objectionable. Others are new to us, but are not perceived as objectionable to the Agency.

4. Review in terms of administrative burden surfaced criteria that will require adjustment of our current procedures. Implementation, however, should be no more onerous than that imposed by E.O. 12065.

5. On the basis of the PPG review, the Office of Information Services was advised of no comment on our part concerning the latest draft. Because E.O. 12356 will become effective 1 August, it is unlikely that time constraints will permit extensive revision of the attached. For the same reason, response time to any revised drafts probably will preclude staffing within the Office. With these assumptions, it is requested that you forward any concerns/comments that develop as the result of review of the attached to ensure maximum input from concerned components.



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Attachment

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ROUTING AND TRANSMITTAL SLIP		Date
		24 MAY 1982
TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1. D/Security		
2.		
3.		
4.		
5.		
Action	File	Note and Return
Approval	For Clearance	Per Conversation
As Requested	For Correction	Prepare Reply
Circulate	For Your Information	See Me
Comment	Investigate	Signature
Coordination	Justify	

REMARKS

Please respond to OIS/RMD by COB Wednesday, 26 May or noon on the following Thursday.

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, office symbol, Agency/Post)	Room No.—Bldg.
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5041-102

OPTIONAL FORM 41 (Rev. 7-76)
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OS REGISTRY

FILE

Leg 3

EO 12356

ROUTING AND TRANSMITTAL SLIP

Date

24 May 1982

TO: (Name, office symbol, room number,
building, Agency/Post)

Initials

Date

1. D/OIS

2.

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Action

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For Clearance

Per Conversation

As Requested

For Correction

Prepare Reply

Circulate

For Your Information

See Me

Comment

Investigate

Signature

Coordination

Justify

REMARKS

- 1 - Please prepare a response for [redacted]
signature after coordination with D/OS and OGC.
Note the 2 June suspense date to ES.

cc: D/OS

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5041-102

OPTIONAL FORM 41 (Rev. 7-75)

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FPMR (41 CFR) 101-11.206

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10	GC				
11	IG				
12	Compt				
13	D/EEO				
14	D/Pers				
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17	SA/IA				
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19	C/IPD/OIS				
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SUSPENSE		2 JUNE Date			

Remarks:

Please prepare response for [redacted]
 Signature. Please coordinate with OGC, [redacted]

D/Executive Secretary
 5/21/96
 Date

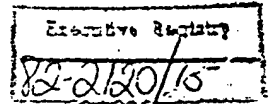
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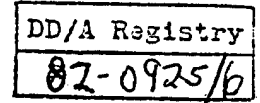
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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

2 AAC



May 20, 1982



MEMORANDUM FOR DISTRIBUTION LIST

SUBJECT: Executive Order 12356 Draft Implementing
Directive

The Information Security Oversight Office has forwarded for approval the attached draft Implementing Directive to Executive Order 12356 on classification.

Please provide us with formal agency comments or concurrence on the proposed draft not later than June 4, 1982.

Michael O. Wheeler
Michael O. Wheeler
Staff Secretary

Attachment
Draft Implementing Directive

OS-2-1333

Nancy Bearg Dyke
Assistant to the Vice President
for National Security Affairs

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Executive Secretary
Department of State


David Pickford
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Department of the Treasury

John Stanford
Executive Secretary
Department of Defense

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